
(2020) 08 DEL CK 0165

In the Delhi High Court

Case No : Letter Patent Appeal No. 217, 218 Of 2020

Commissioner Of Industries, GNCTD

APPELLANT

Vs

Shree Jee Roadlines & Ors

RESPONDENT

Date of Decision : 21-08-2020

Acts Referred:

Code Of Civil Procedure, 1908 — Section 151

Citation : (2020) 08 DEL CK 0165

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Hetu Arora Sethi, A. Mariarputham, Avneesh Arputham, Anuradha Arputham, Rajesh Gogna

Final Decision : Disposed Of

Judgement

Siddharth Mridul, J

CM APPL. 19840/2020 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

CM APPL. 19841/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/appellant seeking exemption from filing duly notarized/attested affidavits in support of the accompanying appeal as well as applications.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/appellant is allowed to file the duly signed, notarized and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

1. The present letters patent appeal under Clause 10 of the Letters Patent read with the provisions of the Delhi High Court Rules, has been instituted on behalf of the appellant, praying as follows:

"(a) Pass an order setting aside the order dated 17.02.2020 passed by the learned Single Judge in Writ Petition No.560/2020;

(b) Pass an order allowing the present appeal in terms of the relief sought by the appellant in CM No.6199/2020;

(c) Pass any such other order or orders as may be deemed fit and proper."

2. After some arguments, Ms. Hetu Arora Sethi, learned Additional Standing Counsel appearing on behalf of the Commissioner of Industries, Government of National Capital Territory of Delhi, the appellant herein, limits the relief in the present Letters Patent Appeal to the grant of extension of time in order to enable them to comply in letter and spirit with the final order dated 15.01.2020, passed by the learned Single Judge in W.P. (C) 560/2020 titled as 'M/s Shree Jee Roadlines and Ors. vs. Bharat Petroleum Corporation Ltd. and Ors.'

3. Issue notice.

4. Mr. Avneesh Arputham, learned counsel accepts notice on behalf of the respondent Nos.1 to 14 and Mr. Rajesh Gogna, learned Central Government Standing Counsel accepts notice on behalf of the respondent No.16.

5. Having heard learned counsel appearing on behalf of the parties and perused the relevant record and in view of the ongoing Corona Virus pandemic, we are of the view that it would be in the interest of justice to extend the time for compliance with the directions issued by the learned Single Judge vide order 15.01.2020 in W.P. (C) 560/2020, for a further period of four weeks from today.

6. Directed accordingly.

7. It is clarified that in view of the circumstance that the said final order was passed by the learned Single Judge as far back as on 15.01.2020, no further extension shall be granted to the appellant to comply with the directions issued therein.

8. The Bharat Petroleum Corporation Limited/respondent No.15, shall not suspend the loading of the trucks of the private respondents for a period of one week from the date of compliance by the appellant of the directions issued by the learned Single Judge vide the said order dated 15.01.2020.

9. No further directions are called for.

10. With the above directions, the present appeal is disposed of. The pending application also stands disposed of.

11. A copy of this judgment be provided electronically to learned counsel appearing on behalf of both the parties and be also uploaded on the website of this Court forthwith.